



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Introduce Ordinance Amending Lodi Municipal Code Title 9, Public Peace, Morals, And Welfare, By Adding Chapter 9.19 – Political Sign Regulations And Adopt Resolution Establishing A Cash Deposit Of \$100 For Posting Of Temporary Political Signs

MEETING DATE: July 17, 2002

PREPARED BY: City Clerk

RECOMMENDED ACTION: That Council introduce the attached ordinance amending Lodi Municipal Code Title 9, Public Peace, Morals, and Welfare, by adding Chapter 9.19 – Political Sign Regulations and adopt the attached resolution establishing a cash deposit of \$100 for posting of temporary political signs.

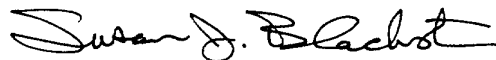
BACKGROUND INFORMATION: Currently the only regulation in the Lodi Municipal Code specifically addressing political signs is found in section 17.63.120, G. *“One unlighted, noncommercial sign not exceeding six square feet in area. Such sign may indicate political, social, religious or economic subjects of public interest and general concern.”* There are no regulations regarding the length of time political signs may be posted.

At the City Council meeting on July 3, 2002 an ordinance for political sign regulations was considered and in response, Council raised the following concerns and suggestions:

- Maximum display area of sixteen (16) square feet for a political sign on residential property should be reduced to six (6) square feet.
- Opposition to requiring responsible party identification on the signs.
- Notification should be made prior to summary abatement by the City of illegally posted signs on private property.
- A definitive fee amount was preferable to charging for the “actual cost” of sign removal by the City.

Each of the above concerns have been addressed in the attached revised ordinance and resolution. As an administrative function of the City Council nomination process and ballot measure procedure, candidates and ballot measure committees will be asked to complete a form entitled *Declaration of Intent to Install Temporary Political Signs*. This form will include contact information which staff can refer to should notification about improperly posted signs become necessary. In addition, a \$100 deposit will be required for posting of temporary political signs, from which code violations may result in forfeiture of the deposit.

FUNDING: None required.


Susan J. Blackston
City Clerk

APPROVED: _____
H. Dixon Flynn -- City Manager

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING TITLE 9, PUBLIC PEACE, MORALS, AND WELFARE BY
ADDING CHAPTER 9.19 – POLITICAL SIGN REGULATIONS

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. The following sections are added to the Lodi Municipal Code to read as follows:

9.19.010	Definition
9.19.020	Prohibition of political signs on public property and in the public right-of-way
9.19.030	Political signs on private property
9.19.040	Size
9.19.050	Time Period and Removal

9.19.010 Definition.

“Political Sign” is any display utilized for the purpose of proposing or opposing the election of a candidate or ballot measure.

9.19.020 Prohibition of political signs on public property and in the public right-of-way.

No person shall paint, mark or write on, post, attach, or otherwise affix, any sign to or upon any public property, including but not limited to any public building, sidewalk, crosswalk, curb, fence, wall, public playground equipment, and/or facilities, street lamp post, utility pole, hydrant, tree, street or traffic signs.

Additionally, no political sign shall be placed, posted, or otherwise affixed in the public right-of-way, including parkways (e.g. the area between curb and sidewalk) or medians.

9.19.030 Political signs on private property.

Political signs may be placed on private property with the consent of the property owner (or person entitled to possession) or their authorized agent, if any, subject to the following:

A. They will not be placed in a manner that obstructs either vehicular traffic (either by physical obstruction or obstruction of sight lines) or pedestrian traffic. They shall not present a physical danger to persons or property.

9.19.040 Size.

The maximum display area for a political sign on residential property is six (6) square feet per sign face.

The maximum display area for a political sign on commercial or industrial property is thirty-two (32) square feet per sign face.

9.19.050 Time Period and Removal.

No political sign shall be erected or maintained by or on behalf of a candidate prior to his/her filing of official nomination papers for public office. All political signs shall be removed within ten (10) days after the election. With respect to ballot measures, no political sign shall be erected or maintained prior to the qualification of a measure for the ballot, and shall be removed within ten (10) days after the election.

Any sign which is an immediate peril or menace to the public or any person, or is posted on public property or in any public right-of-way may be removed summarily (without notice) by the City. Illegal signs on private property may be removed summarily by the City after reasonable notification to the appropriate candidates, sponsors, and/or ballot measure committee. Summary abatement by the City may result in all or part of the cash deposit for temporary political signs, as established by resolution, being forfeited.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 2002

PHILLIP A. PENNINO
Mayor

Attest:

SUSAN J. BLACKSTON
City Clerk

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State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held July 17, 2002, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 2002 by the following vote:

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. _____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON
City Clerk

Approved as to Form:

RANDALL A. HAYS
City Attorney

RESOLUTION NO. 2002-161

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LODI, CALIFORNIA, ESTABLISHING A CASH
DEPOSIT OF \$100 FOR POSTING OF
TEMPORARY POLITICAL SIGNS

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WHEREAS, in order to ensure that political sign regulations are adhered to it is necessary to adopt a resolution addressing this matter; and

WHEREAS, the regulations would require all Council candidates running for office and local ballot measure committees intending to post temporary political signs to make a \$100 cash deposit to ensure the removal of their signs within ten (10) days following the election; and

WHEREAS, summary abatement by the City of illegally posted temporary political signs may result in all or part of the cash deposit being forfeited by the candidate and/or local ballot measure committee; and

WHEREAS, following the election, when it has been determined that summary abatement by the City of illegally posted signs was *not* required, the \$100 deposit will be returned to the candidate and/or local ballot measure committee.

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council hereby adopt resolution establishing a cash deposit of \$100 for posting of temporary political signs.

Dated: July 17, 2002

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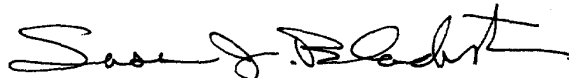
I hereby certify that Resolution No. 2002-161 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 17, 2002 by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Nakanishi,
and Mayor Pennino

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



Susan J. Blackston
City Clerk

2002-161



MEMORANDUM
Office of the Lodi City Clerk

TO: Randy Hays, City Attorney
Rad Bartlam, Community Development Director
Richard Prima, Public Works Director

FROM: Susan J. Blackston, City Clerk

DATE: July 11, 2002

SUBJECT: POLITICAL SIGN ORDINANCE / RESOLUTION

Attached is the revised Ordinance for Political Sign Regulations and a Resolution establishing a cash deposit.

The major revisions are:

- Political sign definition is more generic and makes no reference to "national or state" elections
- Residential sign size decreased to 6 square feet.
- No identification is required on the signs. I will have candidates complete an internal form as part of the nomination process, which will include contact info for their signs.
- Rather than being liable for "cost incurred", a \$100 deposit will be forfeited if summary abatement by the City is necessary.
- To address some Council Member's desire for the City to provide notification before removing signs on private property – I added "reasonable notification". I purposely didn't specify a number of days because it could be a logistical nightmare administratively to track it.

Please notify me today if you have any concerns or feel that further amendments are necessary. It is anticipated that the Council packet will be copied Friday morning.

THANK YOU.

Hand-delivered (inc. samples) on 7/11/02 @ 9:10